

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

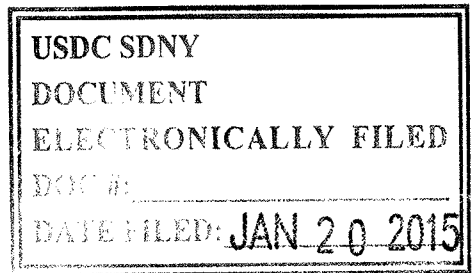
Braintree Laboratories, Inc.,

Plaintiff,

—v—

Taro Pharmaceuticals USA, Inc., *et al.*,

Defendants.



14-cv-08147 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On October 24, 2014, the undersigned accepted the above-captioned case as related to another pending case: *Braintree Laboratories, Inc. v. Breckenridge Pharmaceutical, Inc.*, 12-CV-6851 (AJN) (S.D.N.Y.) (the “*Breckenridge*” action). In addition, there are currently two other actions involving the same patent at issue in this and the *Breckenridge* actions pending before other courts: *Braintree Laboratories, Inc. v. Novel Laboratories, Inc.*, No. 3:11-cv-01341 (D.N.J.) (the “*Novel*” action) and *Braintree Laboratories, Inc. v. Gator Pharmaceuticals, Inc./KVK-TECH, Inc.*, No. 3:13-cv-398-TJC-MCR (M.D.Fl.). On January 17, 2014, the Court granted the parties’ joint request for a stay of the *Breckenridge* action due to a pending appeal to the Federal Circuit in the *Novel* action that may affect the *Breckenridge* action. *See* Dkt. No. 65 in 12-CV-6851 (AJN). The parties in the *Breckenridge* action are to provide this Court with a status letter no later than February 13, 2015. *See* Dkt. No. 71 in 12-CV-6851 (AJN).

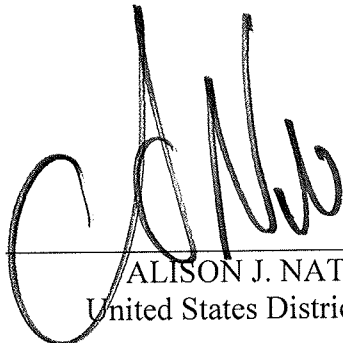
On January 16, 2015, the parties in the above-captioned action filed a joint motion requesting an administrative stay of this action pending resolution of the remand proceedings in the *Novel* action. Dkt. No. 14. In their joint motion, the parties note that the Federal Circuit has

instructed the district court in the *Novel* action to make further factual findings regarding whether Novel's proposed generic infringes Braintree Laboratories, Inc.'s U.S. Patent No. 6,946,149 (the '149 patent) at issue in these four actions. The parties contend, and the Court agrees, that that determination may be relevant to the efficient resolution of the issues in the present case, because the same patent and the same or substantially the same drugs are involved in this action. Therefore, the Court GRANTS the parties' joint request for an administrative stay of this action. The initial pretrial conference scheduled for March 6, 2015, Dkt. No. 6, is adjourned *sine die*.

In order to place the above-captioned action on the same scheduling track as the related *Breckenridge* action, the Court hereby orders the parties in the above-captioned action to also provide a status letter by February 13, 2015.

SO ORDERED.

Dated: January 20, 2015  
New York, New York



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ALISON J. NATHAN  
United States District Judge